



STATE OF INDIANA

Request for Proposal 12-31

INDIANA DEPARTMENT OF ADMINISTRATION

**On Behalf Of
The Indiana Veterans' Home**

**Solicitation For:
Occupational, Physical and Speech Therapy Services**

Response Due Date: November 17, 2011

Kyle McClurg, Strategic Sourcing Analyst
Indiana Department of Administration
Procurement Division
402 W. Washington St., Room W478
Indianapolis, Indiana 46204

SECTION ONE GENERAL INFORMATION AND REQUESTED PRODUCTS/SERVICES

1.1 INTRODUCTION

In accordance with Indiana statute, including IC 5-22-9, the Indiana Department of Administration (IDOA), acting on behalf of the Indiana Veterans' Home, requires Occupational, Physical and Speech Therapy Services for the Indiana Veterans' Home (IVH). It is the intent of IDOA to solicit responses to this Request for Proposals (RFP) in accordance with the statement of work, proposal preparation section, and specifications contained in this document. This RFP is being posted to the IDOA website (<http://www.IN.gov/idoa/2354.htm>) for downloading. A nominal fee will be charged for providing hard copies. Neither this RFP nor any response (proposal) submitted hereto are to be construed as a legal offer.

1.2 DEFINITIONS AND ABBREVIATIONS

Following are explanations of terms and abbreviations appearing throughout this RFP. Other special terms may be used in the RFP, but they are more localized and defined where they appear, rather than in the following list.

IAC	The Indiana Administrative Code.
IC	The Indiana Code.
Full Time Equivalent (FTE)	The State defines FTE as a measurement of an employee's productivity on a specific project or contract. An FTE of 1 would mean that there is one worker fully engaged on a project. If there are two employees each spending 1/2 of their working time on a project that would also equal 1 FTE.
Implementation	The successful implementation of Occupational, Physical and Speech Therapy Services at the Indiana Veterans' Home as specified in the contract resulting from this RFP.
Installation	The delivery and physical setup of products or services requested in this RFP.
Other Governmental Body	An agency, a board, a branch, a bureau, a commission, a council, a department, an institution, an office, or another establishment of any of the following: (1) The judicial branch. (2) The legislative branch.

(3) A political subdivision (includes towns, cities, local governments, etc.)

(4) A state educational institution

Products	Tangible goods or manufactured items as specified in this RFP.
Proposal	An offer as defined in IC 5-22-2-17.
Respondent	An offeror as defined in IC 5-22-2-18. The State will not consider a proposal responsive if two or more offerors submit a joint or combined proposal. One entity or individual must be clearly identified as the Respondent who will be ultimately responsible for performance of the contract.
Services	Work to be performed as specified in this RFP.
State	The State of Indiana
State Agency	As defined in IC 4-13-1, "state agency" means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive, including the administrative, department of state government.
Vendor	Any successful Respondent selected as a result of the procurement process to deliver the products or services requested by this RFP.

1.3 PURPOSE OF THE RFP

The purpose of this RFP is to select a vendor that can satisfy the State's need for Occupational, Physical and Speech Therapy Services. It is the intent of the Indiana Veterans' Home (IVH) to contract with a vendor that provides quality Occupational, Physical and Speech Therapy Services.

1.4 SUMMARY OF SCOPE OF WORK

IVH has, in the most recent year, spent approximately \$264,400.00 on Occupational, Physical and Speech Therapy Services. However, this amount reflects the expenditures prior to the IVH becoming a Medicare certified facility. With its new Medicare certification, IVH estimates that total Medicare and non-Medicare revenues to the new vendor will amount to \$1,690,875.00. Please note that the State is not in a position to provide a guarantee on future spending levels. Nevertheless, the amount is provided as an aid to suppliers in responding to this RFP.

When completing Minority and Women's Business Enterprises participation (Attachment A) as well as the Indiana Economic Impact forms, please use the auto-calculated total bid amount from the Cost Proposal (Attachment D).

1.4.1. General Services

- Vendor will provide professional staff, who are appropriately licensed/certified in Indiana. These staff will perform the scope of services required by their respective profession and will be able to meet the credentialing requirements of the State of Indiana and VA long term care regulations applicable to the Indiana Veterans' Home. It is the Vendor's responsibility to make certain that the professional staff maintain their license and certification and provide IVH with any updates to licenses or certifications for the professional staff working at IVH.
- Vendor will assign a manager who will serve as the main contact person for the length of the contract. IVH requests that the same person remains the manager for the length of the contract. If there is a need for change, IVH must have final say on the replacement contact. IVH reserves the right to decline and/or request a different contract manager at any point throughout the contract.
- Vendor will provide the same therapy staff for continuity of care as long as the staff member remains employed by the selected Respondent and remains acceptable to IVH. If a new staff member is employed, Vendor must provide documentation that the employee is properly licensed/certified. IVH reserves the right to decline and/or request different staff throughout the contract.
- Vendor will provide therapy staff with experience in the evaluation and treatment of a diverse population, including, but not limited to, those with the following diagnoses: Alzheimer's disease, dementia, stroke, Parkinson's disease, multiple sclerosis, transverse myelitis, mental illness, behavioral, and orthopedic conditions (i.e. post hip fracture, total knee replacement, etc). The vendor must provide licensed staff with experience and certification in the following: wound management, treatment of balance disorders, fabrication of orthotics, fall prevention, restraint reduction, wheelchair fitting and positioning systems, and wellness programs for the geriatric population.
- Vendor will provide assurance and documentation that shows that each staff member has received orientation and training in the Vendor's policies and procedures and is proficient in performing the essential tasks of their assigned position. Vendor will provide an orientation/training plan to the Director of Nursing (DON) and the

facility Superintendent.

- IVH will provide manuals that the vendor staff will be required to read before working at IVH. The Vendor will be responsible for making certain that each employee has read and understands the rules in the manual. Each employee must sign a form (provided by IVH) stating that the employee has completed the manual.
- Vendor will periodically provide educational training programs and consultation for IVH staff that may be required by state, federal or VA long-term care regulations as requested or as needed. Vendor will provide educational training programs as requested by IVH for any specialized assistance devices.
- Vendor will provide documentation and charting to IVH nursing staff and other members of each patient's care plan team to assure information is adequately shared with others regarding the resident's progress, needs, and/or assistance and services needed to support and complement the skilled therapy treatments. This documentation and charting must be done no less than weekly, and more often if requested.
- Vendor will monitor IVH owned department and therapy equipment to ensure proper working condition in accordance with equipment maintenance schedules and manufacturer recommendations. Vendor will advise IVH contract manager when repairs are necessary.
- Vendor will work with the Department of Veterans Affairs to obtain and maintain equipment.
- Vendor will mandate their therapy staff to maintain resident privacy and confidentiality in all aspects of service.
- On a weekly basis, vendor will participate in facility committees on such subjects as: falls, restraints, and wound care. Vendor will also perform home assessments.
- Vendor will attend and provide data for the following committees: Medicare, Care Plans (when requested), Clinical Meetings (when requested), and Quality Assurance . Vendor will provide data for statistical information required by the Indiana State Department of Health. Vendor will provide resident success stories and other data requested by IVH for marketing purposes.
- Vendor will ensure that staff is trained for maintaining professional continuing education and any specific training that may be required by state, federal or VA long-term care regulations.

- Vendor must provide an on-call staff member to be available after on-site hours to respond to potential emergency situations. The contact person must respond within one (1) hour of request.

1.4.2 Occupational/Physical Therapy Services

- Vendor will provide policies and procedures, including job descriptions, for the operation of the Therapy Department and provision of therapy services in accordance with current professional standards of practice. A manual will be available for approval by the IVH Quality Assurance Committee and revised as needed.
- Vendor will provide services to all residents whose physician has determined a need and has provided a written order. Vendor will advise IVH and the physician of those services ordered which do not meet the criteria for skilled therapy service and determine the mode of payment prior to continuing the treatment or make recommendations for appropriate alternative treatment. Prior approval from IVH Administration must be made before therapy is administered.
- Vendor will make recommendations to the Nursing Department for restorative programs to reinforce skills acquired during therapy.
- Vendor will participate in the completion of appropriate sections of the MDS Full and Quarterly assessments and attend resident care plan conferences as necessary for Occupational, Physical, and Speech Therapy. Vendor will provide the number of minutes provided to each resident to the MDS Nurse.
- Vendor will maintain a safe working environment for staff and residents in the therapy department, making certain that chemicals and solutions are properly used and stored (this includes appropriate use and display of safety precautions and material safety data sheets), equipment is sufficiently monitored when residents are present, and department entry is locked when therapy staff are not present or available to supervise.
- Vendor will provide initial services assessments within 24 hours of receiving physician's order and notification of same. Any further delay will require direct communication with the DON, Superintendent, and the attending physician.
- Vendor will provide screenings of new residents within 24 hours and quarterly during the MDS assessment reference period. Vendor will also provide services for any significant condition change as deemed necessary by the DON.

- Vendor will maintain appropriate inventory and make requests for purchase of necessary therapy supplies. Vendor will provide a monthly audit of equipment and supplies. This report shall be given to the DON and Controller on the first Monday of the month the prior month.

1.4.3 Speech Therapy Services:

- Vendor will provide a full range of diagnostic and therapeutic speech, language and dysphasia services to residents in accordance with professional standards, facility policy, and state and federal long term care regulations.
- Vendor will provide screening and diagnostic evaluation of residents for speech, language and cognitive therapy within three (3) days of admittance of a resident.
- Vendor will provide the provision of appropriate individual and group speech, language, and cognitive therapy.
- Vendor will provide evaluation and treatment of swallowing disorders.
- Vendor will provide the development of individualized augmentative and alternative communication systems.

1.4.4 Hours

- Professional licensed therapists, assistants and therapy aides will be scheduled sufficient hours per day/week to assure evaluations, treatments and other tasks related to the services provided are completed timely and in accordance with professional standards of practice.
- Hours are non-specific as they may vary depending on the facility census and needs of the residents and health care team. However, it is expected that licensed staff will be working in IVH Therapy Department seven (7) days per week and on-call evening and weekends.
- Vendor must provide a monthly schedule one (1) week prior to the beginning of the work month to the DON. Any changes to the schedule must be provided one (1) week in advance and approved by the DON.
- Licensed physical, occupational and speech therapists are to be available to perform evaluations and supervise staff in accordance with the needs of the therapy caseload and to efficiently operate the

department.

1.4.5 Billing Services:

- IVH will bill Medicare, Medicaid, and third party insurance at our facility. The Vendor will be responsible for becoming and maintaining Medicare certification as a health care practitioner (CMS 855I and 855R) throughout the life of the contract.
- Vendor must be knowledgeable in the procedures and documentation requirements for the billing and reimbursement of treatment modalities and other approved therapy services in accordance with the requirements of Medicare Parts A & B, Medicaid, and third party private insurance. Vendor agrees to adhere to standards and regulatory requirements of Medicare/Medicaid fiscal intermediaries in the provision of therapy services, development of treatment plans, physician approval, and tracking of treatments, including number of minutes per treatment and appropriate progress notes and discharge summaries.
- Vendor agrees to apply for and maintain Medicare certification as health care practitioner (CMS 855I and 855R) and agrees to provide skilled therapy services under the provider's Medicare number.
- Vendor will submit to IVH a weekly statement that will include all therapy patients treated, itemized by billing codes and total amount of therapy minutes.
- Vendor must be able to export treatment information relevant for billing from their data system into the IVH billing system, currently MDI Achieve.
- Vendor provider agrees to maintain current knowledge of Medicare Parts A & B and Medicaid requirements regarding reimbursement and covered services for their particular therapy services and advise IVH when a change in the program that will affect the provision of service and reimbursement for IVH residents becomes known.
- Vendor agrees to advise the physician and contract manager whenever a treatment no longer meets the criteria for reimbursement by Medicare Parts A & B, Medicaid, or other third party payer and there is evidence that the resident would benefit from continued service. Approval may be made by IVH Administration to continue the service and for the facility to have the service performed and billed to IVH. Such situations will be reviewed weekly to determine the appropriateness of ongoing treatment and residents' response to treatment.

- Vendor will work to resolve claim denials and audits.

1.5 RFP OUTLINE

The outline of this RFP document is described below:

Section	Description
Section One – General Information and Requested Products or Services	This section provides an overview of the RFP, general timelines for the process, and a summary of the products/services being solicited by the State/Agency via this RFP
Section Two – Proposal Preparation Instruction	This section provides instructions on the format and content of the RFP including a Letter of Transmittal, Business Proposal, Technical Proposal, and a Cost Proposal
Section Three – Proposal Evaluation Criteria	This sections discusses the evaluation criteria to be used to evaluate respondents' proposals
Attachment A	M/WBE Participation Plan Form
Attachment B	Sample Contract
Attachment C	Indiana Economic Impact Form
Attachment D	Cost Proposal Template
Attachment E	Business Proposal Template
Attachment F	Technical Proposal Template
Attachment G	Summary of Attachments

1.6 QUESTION/INQUIRY PROCESS

All questions/inquiries regarding this RFP must be submitted in writing by the deadline of **3:00 p.m. Eastern Time** on October 19, 2011. Questions/Inquiries may be submitted via email to rfp@idoa.IN.gov and must be received by the time and date indicated above.

Following the question/inquiry due date, Procurement Division personnel will compile a list of the questions/inquiries submitted by all Respondents. The responses will be posted to the IDOA website according to the RFP timetable established in Section 1.23.

The question/inquiry and answer link will become active after responses to all questions have been compiled. Only answers posted on the IDOA website will be considered official and valid by the State. No Respondent shall rely upon, take any action, or make any decision based upon any verbal communication with any State employee.

Inquiries are not to be directed to any staff member of the IVH. Such action may disqualify Respondent from further consideration for a contract resulting from this RFP.

If it becomes necessary to revise any part of this RFP, or if additional information is necessary for a clearer interpretation of provisions of this RFP prior to the due date for proposals, an addendum will be posted on the IDOA website. If such addenda issuance is necessary, the Procurement Division may extend the due date and time of proposals to accommodate such additional information requirements, if required.

1.7 DUE DATE FOR PROPOSALS

All proposals must be received at the address below by the Procurement Division no later than **3:00 p.m. Eastern Time** on November 17, 2011. Each Respondent must submit **one original hard-copy** (marked "Original") and **one original CD-ROM (marked "Original")** and **three complete copies on CD-ROM** of the proposal, including the Transmittal Letter and other related documentation as required in this RFP. The **original CD-ROM** will be considered the official response in evaluating responses for scoring and protest resolution. **The respondent's proposal response on this CD may be posted on the IDOA website, (<http://www.in.gov/idoa/2462.htm>) if recommended for selection.** Each copy of the proposal must follow the format indicated in Section Two of this document. Unnecessarily elaborate brochures or other presentations, beyond those necessary to present a complete and effective proposal, are not desired. All proposals must be addressed to:

Indiana Department of Administration
Procurement Division
402 West Washington Street, Room W478
Indianapolis, IN 46204

If you hand-deliver solicitation responses:

To facilitate weapons restrictions at Indiana Government Center North and Indiana Government Center South, as of **July 21, 2008**, the public must enter IGC buildings through a designated public entrance. The public entrance to Indiana Government Center South is located at 302 W. Washington St. (the eastern-most Washington St. entrance). This entrance will be equipped with metal detectors and screening devices monitored by Indiana State Police Capitol Police.

Passing through the public entrance may take some time. Please be sure to take this information into consideration if your company plans to submit a solicitation response in person.

If you ship or mail solicitation responses: United States Postal Express and Certified Mail are both delivered to the Government Center Central Mailroom, and not directly to the Procurement Division. It is the responsibility of the Respondent to make sure that solicitation responses are received by the Procurement Division at the Department of Administration's reception desk on or before the designated time and date. Late submissions will not be accepted. The Department of Administration, Procurement Division clock is the official time for all solicitation submissions.

All proposal packages must be clearly marked with the RFP number, due date, and time due. Any proposal received by the Department of Administration, Procurement Division after the due date and time will not be considered. Any late proposals will be returned, unopened, to the Respondent upon request. All rejected proposals not claimed within 30 days of the proposal due date will be destroyed.

No more than one proposal per Respondent may be submitted.

The State accepts no obligations for costs incurred by Respondents in anticipation of being awarded a contract.

All proposals submitted to the State should be double-sided and printed on 30% post-consumer recycled content paper or tree-free paper. When possible, soy ink should be used.

1.8 PRE-PROPOSAL CONFERENCE

A pre-proposal conference will be held at 2:00 p.m. EST on October 13, 2011 in Conference Room 19 in the Indiana Government Center South Conference Center. At this conference, potential respondents may ask questions about the RFP and the RFP process. Respondents are reminded that no answers issued verbally at the conference are binding on the State and any information provided at the conference, unless it is later issued in writing, also is not binding on the State.

1.9 MODIFICATION OR WITHDRAWAL OF OFFERS

Modifications to responses to this RFP may only be made in the manner and format described in Section 1.6 and clearly identified as a modification.

The Respondent's authorized representative may withdraw the proposal, in person, prior to the due date. Proper documentation and identification will be required before

the Procurement Division will release the withdrawn proposal. The authorized representative will be required to sign a receipt for the withdrawn proposal.

Modification to, or withdrawal of, a proposal received by the Procurement Division after the exact hour and date specified for receipt of proposals will not be considered.

1.10 PRICING

Pricing on this RFP must be firm and remain open for a period of not less than 180 days from the proposal due date.

Please refer to the Cost Proposal sub-section under Section Two for a detailed discussion of the proposal pricing format and requirements.

1.11 PROPOSAL CLARIFICATIONS AND DISCUSSIONS, AND CONTRACT DISCUSSIONS

The State reserves the right to request clarifications on proposals submitted to the State. The State also reserves the right to conduct proposal discussions, either oral or written, with Respondents. These discussions could include request for additional information, request for cost or technical proposal revision, etc. Additionally, in conducting discussions, the State may use information derived from proposals submitted by competing respondents only if the identity of the respondent providing the information is not disclosed to others. The State will provide equivalent information to all respondents which have been chosen for discussions. Discussions, along with negotiations with responsible respondents may be conducted for any appropriate purpose.

The Procurement Division will schedule all discussions. Any information gathered through oral discussions must be confirmed in writing.

A sample contract is provided in Attachment B. Any requested changes to the sample contract must be submitted with your response (See Section 2.3.5 for details). The State reserves the right to reject any of these requested changes. It is the State's expectation that any material elements of the contract will be substantially finalized prior to contract award.

1.12 BEST AND FINAL OFFER

The State may request best and final offers from those Respondents determined by the State to be reasonably viable for contract award. However, the State reserves the right to award a contract on the basis of initial proposals received. Therefore, each proposal should contain the Respondent's best terms from a price and technical standpoint.

Following evaluation of the best and final offers, the State may select for final contract negotiations/execution the offers that are most advantageous to the State, considering cost and the evaluation criteria in this RFP.

1.13 REFERENCE SITE VISITS

The State may request a site visit to a Respondent's working support center to aid in the evaluation of the Respondent's proposal. Site visits, if required will be discussed in the technical proposal.

1.14 TYPE AND TERM OF CONTRACT

The State intends to sign a contract with one or more Respondent(s) to fulfill the requirements in this RFP.

The term of the contract shall be for a period of 2 years from the date of contract execution. There may be 2 one year renewals for a total of four (4) years at the State's option.

1.15 CONFIDENTIAL INFORMATION

Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (APRA), IC 5-14-3 *et seq.*, and, after the contract award, the entire RFP file may be viewed and copied by any member of the public, including news agencies and competitors. Respondents claiming a statutory exception to the APRA must place all confidential documents (including the requisite number of copies) in a sealed envelope clearly marked "Confidential" and must indicate in the Transmittal Letter and on the outside of that envelope that confidential materials are included. The Respondent must also specify which statutory exception of APRA that applies. The State reserves the right to make determinations of confidentiality. If the Respondent does not identify the statutory exception, the Procurement Division will not consider the submission confidential. If the State does not agree that the information designated is confidential under one of the disclosure exceptions to APRA, it may seek the opinion of the Public Access Counselor. Prices are not confidential information.

1.16 TAXES

Proposals should not include any tax from which the State is exempt.

1.17 PROCUREMENT DIVISION REGISTRATION

In order to receive an award, you must be registered as a bidder with the Department of Administration, Procurement Division. Therefore, to ensure there is no delay in the

award all Respondents are strongly encouraged to register prior to submission of their response. Respondents should go to www.in.gov/idoa/2464.htm .

1.18 SECRETARY OF STATE REGISTRATION

If awarded the contract, the Respondent will be required to register, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. Information concerning registration with the Secretary of State may be obtained by contacting:

Secretary of State of Indiana
Corporation Division
402 West Washington Street, E018
Indianapolis, IN 46204
(317) 232-6576
www.in.gov/sos

1.19 COMPLIANCE CERTIFICATION

Responses to this RFP serve as a representation that it has no current or outstanding criminal, civil, or enforcement actions initiated by the State, and it agrees that it will immediately notify the State of any such actions. The Respondent also certifies that neither it nor its principals are presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State. The Respondent agrees that the State may confirm, at any time, that no such liabilities exist, and, if such liabilities are discovered, that State may bar the Respondent from contracting with the State, cancel existing contracts, withhold payments to setoff such obligations, and withhold further payments or purchases until the entity is current in its payments on its liability to the State and has submitted proof of such payment to the State.

1.20 EQUAL OPPORTUNITY COMMITMENT

Pursuant to IC 4-13-16.5 and in accordance with 25 IAC 5, it has been determined that there is a reasonable expectation of minority and woman business enterprises subcontracting opportunities on a contract awarded under this RFP. Therefore a contract goal of 8 % for Minority Business Enterprises and 8 % for Woman Business Enterprises have been established and all respondents will be expected to comply with the regulation set forth in 25 IAC 5.

Failure to meet these requirements will affect the evaluation of your proposal.

1.21 MINORITY & WOMEN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR COMMITMENT

In accordance with 25 IAC 5-5, the respondent is expected to submit with its proposal a M/WBE Subcontractor Commitment Form. The Form must show that there are, participating in the proposed contract, Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) listed in the Minority and Women's Business Enterprises Division (MWBED) directory of certified firms located at <http://www.in.gov/idoa/2352.htm>. If participation is met through use of vendors who supply products and/or services directly to the Respondent, the Respondent must provide a description of products and/or services provided that are directly related to this proposal and the cost of direct supplies for this proposal. Respondents must complete the Subcontractor Commitment Form in its entirety.

Failure to meet these goals will affect the evaluation of your Proposal. The Department reserves the right to verify all information included on the M/WBE Subcontractor Commitment Form.

Respondents are encouraged to contact and work with MWBED at 317-232-3061 to design a subcontractor commitment to meet established goals as referenced in this solicitation.

Prime Contractors must ensure that the proposed subcontractors meet the following criteria:

- Must be listed on the IDOA Directory of Certified Firms
- Each firm may only serve as once classification – MBE or WBE
- A Prime Contractor who is an MBE or WBE must meet subcontractor goals by using other listed certified firms. Certified Prime Contractors cannot count their own workforce or companies to meet this requirement.
- Must serve a commercially useful function. The firm must serve a value-added purpose on the engagement.
- Must provide goods or service only in the industry area for which it is certified as listed in the directory at <http://www.in.gov/idoa/2352.htm>
- Must be used to provide the goods or services specific to the contract
- National Corporate Diversity Plans are generally not acceptable

MINORITY & WOMEN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR LETTER OF COMMITMENT

A signed letter(s), on company letterhead, from the MBE and/or WBE must accompany the MWBE Subcontractor Commitment Form. Each letter shall state and will serve as acknowledgement from the MBE and/or WBE of its subcontract amount, a description

of products and/or services to be provided on this project and approximate date the subcontractor will perform work on this contract. The State will deny evaluation points if the letter(s) is not attached, not on company letterhead, not signed and/or does not reference and match the subcontract amount and the anticipated period that the Subcontractor will perform work for this solicitation.

By submission of the Proposal, the Respondent acknowledges and agrees to be bound by the regulatory processes involving the State's M/WBE Program. Questions involving the regulations governing the M/WBE Subcontractor Commitment Form should be directed to: Minority and Women's Business Enterprises Division at (317) 232-3061 or mwbe@idoa.in.gov.

1.22 AMERICANS WITH DISABILITIES ACT

The Respondent specifically agrees to comply with the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.* and 47 U.S.C. 225).

1.23 SUMMARY OF MILESTONES

The following timeline is only an illustration of the RFP process. The dates associated with each step are not to be considered binding. Due to the unpredictable nature of the evaluation period, these dates are commonly subject to change. At the conclusion of the evaluation process, all Respondents will be informed of the evaluation team's findings.

Key RFP Dates

Activity	Date
Issue of RFP	October 7, 2011
Pre-Proposal Conference	October 13, 2011
Deadline to Submit Written Questions	October 19, 2011
Response to Written Questions/RFP Amendments	October 27, 2011
Submission of Proposals	November 17, 2011

<i>The dates for the following activities are target dates only. These activities may be completed earlier or later than the date shown.</i>	
Proposal Evaluation	November 29, 2011
Proposal Discussions/Clarifications (if necessary)	TBD
Oral Presentations (if necessary)	TBD
Best and Final Offers (if necessary)	TBD
Contract Award	December 29, 2011

SECTION TWO PROPOSAL PREPARATION INSTRUCTIONS

2.1 GENERAL

To facilitate the timely evaluation of proposals, a standard format for proposal submission has been developed and is described in this section. All Respondents are required to format their proposals in a manner consistent with the guidelines described below:

- Each item must be addressed in the Respondent's proposal.
- The Transmittal Letter must be in the form of a letter. The business and technical proposals must be organized under the specific section titles as listed below.

2.2 TRANSMITTAL LETTER

The Transmittal Letter must address the following topics except those specifically identified as "optional."

2.2.1 Agreement with Requirement in listed in Section One.

The Respondent must explicitly acknowledge understanding of the general information presented in Section One and agreement with any requirements/conditions listed in Section One.

2.2.2 Summary of Ability and Desire to Supply the Required Products or Services

The Transmittal Letter must briefly summarize the Respondent's ability to supply the requested products and/or services that meet the requirements defined in Section 1.4 of this RFP. The letter must also contain a statement indicating the Respondent's willingness to provide the requested products and/or services subject to the terms and conditions set forth in the RFP including, but not limited to, the State's mandatory contract clauses.

2.2.3 Signature of Authorized Representative

A person authorized to commit the Respondent to its representations and who can certify that the information offered in the proposal meets all general conditions including the information requested in Section 2.3.4, must sign the Transmittal Letter. **In the Transmittal Letter, please indicate the principal contact for the proposal along with an address, telephone and fax number as well as an e-mail address, if that contact is different than the individual authorized for signature.**

2.2.4 Respondent Notification

Unless otherwise indicated in the Transmittal Letter, Respondents will be notified via e-mail.

It is the Respondent's obligation to notify the Procurement Division of any changes in any address that may have occurred since the origination of this solicitation. The Procurement Division will not be held responsible for incorrect vendor/contractor addresses.

2.2.5 Other Information

This item is optional. Any other information the Respondent may wish to briefly summarize will be acceptable.

2.3 BUSINESS PROPOSAL

The Business Proposal must address the following topics except those specifically identified as "optional." **The Business Proposal Template is Attachment E.**

2.3.1 General (optional)

This section of the business proposal may be used to introduce or summarize any information the Respondent deems relevant or important to the State's successful acquisition of the products and/or services requested in this RFP.

2.3.2 Respondent's Company Structure

The legal form of the Respondent's business organization, the state in which formed (accompanied by a certificate of authority), the types of business ventures in which the organization is involved, and a chart of the organization are to be included in this section. If the organization includes more than one product division, the division responsible for the development and marketing of the requested products and/or services in the United States must be described in more detail than other components of the organization.

2.3.3 Company Financial Information

This section must include the Respondent's financial statement, including an income statement and balance sheet, for each of the two most recently completed fiscal years. The financial statements must

demonstrate the Respondent's financial stability. If the financial statements being provided by the Respondent are those of a parent or holding company, additional financial information should be provided for the entity/organization directly responding to this RFP.

2.3.4 Integrity of Company Structure and Financial Reporting

This section must include a statement indicating that the CEO and/or CFO has taken personal responsibility for the thoroughness and correctness of any/all financial information supplied with this proposal. The particular areas of interest to the State in considering corporate responsibility include the following items: separation of audit functions from corporate boards and board members, if any, the manner in which the organization assures board integrity, and the separation of audit functions and consulting services. The State will consider the information offered in this section to determine the responsibility of the Respondent under IC 5-22-16-1(d).

The Sarbanes Oxley Act of 2002, H.R. 3763, is NOT directly applicable to this procurement; however, its goals and objectives may be used as a guide in the determination of corporate responsibility for financial reports.

2.3.5 Contract Terms/Clauses

A sample contract that the state expects to execute with the successful Respondent(s) is provided in Attachment B. This contract contains both mandatory and non-mandatory clauses. Mandatory clauses are listed below and are non-negotiable. Other clauses are highly desirable. It is the State's expectation that the final contract will be substantially similar to the sample contract provided in Attachment B.

In your Transmittal Letter please indicate acceptance of these mandatory contract terms (see Section 2.2.2). In this section please review the rest of the contract and indicate your acceptance of the non-mandatory contract clauses. If a non-mandatory clause is not acceptable as worded, suggest specific alternative wording to address issues raised by the specific clause. If you require additional contract terms please include them in this section. To reiterate it's the State's strong desire to not deviate from the contract provided in the attachment and as such the State reserves the right to reject any and all of these requested changes.

The mandatory contract terms are as follows:

- Authority to Bind Contractor
- Duties of Contractor, Rate of Pay, and Term of Contract
- Compliance with Laws
- Drug-free Workplace Provision and Certification
- Funding Cancellation
- Indemnification
- Governing Laws
- Non-discrimination clause
- Payments
- Penalties/Interest/Attorney's Fees
- Non-collusion and Acceptance
- Information Technology

Any or all portions of this RFP and any or all portions of the Respondent's response may be incorporated as part of the final contract

2.3.6 References

The Respondent must include a list of at least 3 clients for whom the Respondent has provided products and/or services that are the same or similar to those products and/or services requested in this RFP. Information provided should include the name, address, and telephone number of the client facility and the name, title, and phone/fax numbers of a person who may be contacted for further information.

2.3.7 Registration to do Business

Secretary of State

If awarded the contract, the Respondent will be required to be registered, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. The Respondent must indicate the status of registration, if applicable, in this section of the proposal.

Department of Administration, Procurement Division

Additionally, respondents must be registered with the IDOA. This can be accomplished on-line at <http://www.in.gov/idoa/2464.htm>.

The IDOA Procurement Division maintains two databases of vendor information. The Bidder registration database is set up for vendors to register if you are interested in selling a product or service to the State of

Indiana. Respondents may register on-line at no cost to become a Bidder with the State of Indiana. To complete the on-line Bidder registration, go to <http://www.in.gov/idoa/2464.htm>. The Bidder registration offers email notification of upcoming solicitation opportunities, corresponding to the Bidder's area(s) of interest, selected during the registration process. Respondents do need to be registered to bid on and receive email notifications. Completion of the Bidder registration will result in your name being added to the Bidder's Database, for email notification. The Bidder registration requires some general business information, an indication of the types of goods and services you can offer the State of Indiana, and locations(s) within the state that you can supply or service. There is no fee to be placed in Procurement Division's Bidder Database. To receive an award, you must be registered as a bidder. Problems or questions concerning the registration process or the registration form can be e-mailed to Amey Redding, Vendor Registration Coordinator, aredding@idoa.in.gov, or you may reach her by phone at (317) 234-3542.

2.3.8 Authorizing Document

Respondent personnel signing the Transmittal Letter of the proposal must be legally authorized by the organization to commit the organization contractually. This section shall contain proof of such authority. A copy of corporate bylaws or a corporate resolution adopted by the board of directors indicating this authority will fulfill this requirement.

2.3.9 Subcontractors

The Respondent is responsible for the performance of any obligations that may result from this RFP, and shall not be relieved by the non-performance of any subcontractor. Any Respondent's proposal must identify all subcontractors and describe the contractual relationship between the Respondent and each subcontractor. Either a copy of the executed subcontract or a letter of agreement over the official signature of the firms involved must accompany each proposal.

Any subcontracts entered into by the Respondent must be in compliance with all State statutes, and will be subject to the provisions thereof. For each portion of the proposed products or services to be provided by a subcontractor, the technical proposal must include the identification of the functions to be provided by the subcontractor and the subcontractor's related qualifications and experience.

The combined qualifications and experience of the Respondent and any or all subcontractors will be considered in the State's evaluation. The Respondent must furnish information to the State as to the amount of the subcontract, the qualifications of the subcontractor for guaranteeing performance, and any other data that may be required by the State. All subcontracts held by the Respondent must be made available upon request for inspection and examination by appropriate State officials, and such relationships must meet with the approval of the State.

The Respondent must list any subcontractor's name, address and the state in which formed that are proposed to be used in providing the required products or services. The subcontractor's responsibilities under the proposal, anticipated dollar amount for subcontract, the subcontractor's form of organization, and an indication from the subcontractor of a willingness to carry out these responsibilities are to be included for each subcontractor. This assurance in no way relieves the Respondent of any responsibilities in responding to this RFP or in completing the commitments documented in the proposal. The Respondent must indicate which, if any, subcontractors qualify as a Minority or Women Owned Business under IC 4-13-16.5-1. See Section 1.21 and Attachment A for Minority and Women Business information.

2.3.11 General Information

Each Respondent must enter your company's general information including contact information.

2.3.12 Experience Serving State Governments

Each Respondent is asked to please provide a brief description of your company's experience in serving state governments and/or quasi-governmental accounts.

2.3.13 Experience Serving Similar Clients

Each Respondent is asked to please describe your company's experience in serving clients of a similar size to the State that also had a similar scope. Please provide specific clients and detailed examples.

2.3.14 Indiana Preferences

Pursuant to IC 5-22-15-7, Respondent may claim only one (1) preference. For the purposes of this RFP, this limitation to claiming one (1) preference applies to Respondent's ability to claim eligibility for Buy Indiana points.

Respondent must clearly indicate which preference they intend to claim. Additionally, the Respondent's Buy Indiana status must be finalized when the RFP response is submitted to the State.

Buy Indiana

Refer to Section 2.7 for additional information.

2.4 TECHNICAL PROPOSAL

The Technical Proposal must be divided into the sections as described below. Every point made in each section must be addressed in the order given. The same outline numbers must be used in the response. RFP language should not be repeated within the response. Where appropriate, supporting documentation may be referenced by a page and paragraph number. However, when this is done, the body of the technical proposal must contain a meaningful summary of the referenced material. The referenced document must be included as an appendix to the technical proposal with referenced sections clearly marked. If there are multiple references or multiple documents, these must be listed and organized for ease of use by the State. **The Technical Proposal Template is Attachment F.**

- 2.4.1 Respondent must explain in detail how it will comply with each point within Section 1.4.1 ("**General Services**") in the SUMMARY SCOPE OF WORK?
- 2.4.2 Respondent must explain in detail how it will comply with each element listed within Section 1.4.2 ("**Occupational/Physical Therapy Services**") in the SUMMARY SCOPE OF WORK?
- 2.4.3 Respondent must explain in detail how it will comply with each element listed within Section 1.4.3 ("**Speech Therapy Services**") in the SUMMARY SCOPE OF WORK?
- 2.4.4 Respondent must explain in detail how it will comply with each element listed within Section 1.4.4 ("**Hours**") in the SUMMARY SCOPE OF WORK?
- 2.4.5 Respondent must explain in detail how it will comply with each element listed within Section 1.4.5 ("**Billing Services**") in the SUMMARY SCOPE OF WORK?
- 2.4.6 Respondent must provide samples of best practices in its operations.

2.4.7 Respondent must provide examples of reports, communication to staff, and other relevant documentation.

2.4.8 Respondent must provide a brief description of its experience with RAC audits, claim denials, and audit citations.

2.4.9 Respondent must provide examples of how it markets services.

2.5 COST PROPOSAL

The Cost Proposal Template is Attachment D. It is an Excel workbook that contains instructions for each Respondent to provide its pricing for the services requested. Medicare A services should be bid based on a per diem model by providing the per minute rate that the per diem rate for Medicare Part A services will be based on. Medicare B services should be bid based on the percentage of the Physicians Fee Schedule that you will charge for Medicare Part B services. All other therapy services should be bid as a per minute rate. Finally all other services (i.e. meeting attendance, wound rounds, home assistance...) should be bid as a cost per 15 minute unit of time. All prices should stay consistent for the entire term of the contract.

After completing the Cost Proposal attachment, each Respondent will have calculated a "Total Bid Amount." This amount will be compared to the annual baseline (expected cost) of \$1,690,875.00 when determining each Respondent's cost proposal score. Please see Section 3.2.3 for further details.

2.6 INDIANA ECONOMIC IMPACT

All companies desiring to do business with state agencies must complete an "Indiana Economic Impact" form (Attachment C). The collection and recognition of the information collected with the Indiana Economic Impact form places a strong emphasis on the economic impact a project will have on Indiana and its residents regardless of where a business is located. The collection of this information does not restrict any company or firm from doing business with the state.

2.7 BUY INDIANA INITIATIVE/INDIANA COMPANY

It is the Respondent's responsibility to confirm its Buy Indiana status for this portion of the process. If a Respondent has previously registered its business with IDOA, go to <http://www.in.gov/idoa/2464.htm> and click on the link to update this registration. Click the tab titled Buy Indiana. Select the appropriate category for your business. Respondents may only select one category. Certify this selection by clicking the check box next to the certification paragraph. Once this is complete, save your selection and exit your account.

Respondents that have not previously registered with IDOA must go to <http://www.in.gov/idoa/2464.htm> and click on the link to register. During the registration process, follow the steps outlined in the paragraph above to certify your business' status. The registration process should be complete at the time of proposal submission.

Respondent must clearly indicate which preference they intend to claim in the Business Proposal, Attachment E. Additionally, the Respondent's Buy Indiana status must be finalized when the RFP response is submitted to the State.

Defining an Indiana Business:

"Indiana business" refers to any of the following:

- (1) A business whose principal place of business is located in Indiana.
- (2) A business that pays a majority of its payroll (in dollar volume) to residents of Indiana.
- (3) A business that employs Indiana residents as a majority of its employees.

Respondents claiming this status must indicate which of the provisions above qualifies them as an Indiana business. They must also fully complete the Indiana Economic Impact Form (Attachment C) and include it with their response.

The following is the policy concerning items 4 & 5 described below. Appropriate documentation must be provided with your proposal response supporting either claim made below:

- (4) A business that makes significant capital investments in Indiana.
- (5) A business that has a substantial positive economic impact on Indiana.

Substantial Capital Investment:

Any company that can demonstrate a minimum capital investment of \$5 million or more in plant and/or equipment or annual lease payments of \$2.5 million or more shall qualify as an Indiana business under category #4. If an out of state company does not meet one of these criteria, it can submit documentation/justification to the State for review for inclusion under this category.

Substantial Indiana Economic Impact:

Any company that is in the top 500 companies (adjusted) for one of the following categories: number of employees (DWD), unemployment taxes (DWD), payroll withholding taxes (DOR), or Corporate Income Taxes (DOR); it shall qualify as an Indiana business under category #5. If a Respondent needs assistance in determining if its

business qualifies under this criterion, please send an email inquiry to buyindianainvest@idoa.in.gov and you will receive a response within forty-eight (48) hours. If an out of state company does not meet one of these criteria, it can submit documentation/justification to the State for review for inclusion under this category.

SECTION THREE PROPOSAL EVALUATION

3.1 PROPOSAL EVALUATION PROCEDURE

The State has selected a group of personnel to act as a proposal evaluation team. Subgroups of this team, consisting of one or more team members, will be responsible for evaluating proposals with regard to compliance with RFP requirements. All evaluation personnel will use the evaluation criteria stated in Section 3.2. The Commissioner of IDOA or his designee will, in the exercise of his sole discretion, determine which proposals offer the best means of servicing the interests of the State. The exercise of this discretion will be final.

The procedure for evaluating the proposals against the evaluation criteria will be as follows:

- 3.1.1 Each proposal will be evaluated for adherence to requirements on a pass/fail basis. Proposals that are incomplete or otherwise do not conform to proposal submission requirements may be eliminated from consideration.
- 3.1.2 Each proposal will be evaluated on the basis of the categories included in Section 3.2. A point score has been established for each category.
- 3.1.3 If technical proposals are close to equal, greater weight may be given to price.
- 3.1.4 Based on the results of this evaluation, the qualifying proposal determined to be the most advantageous to the State, taking into account all of the evaluation factors, may be selected by IDOA and the Indiana Veterans' Home for further action, such as contract negotiations. If, however, IDOA and the Indiana Veterans' Home decide that no proposal is sufficiently advantageous to the State, the State may take whatever further action is deemed necessary to fulfill its needs. If, for any reason, a proposal is selected and it is not possible to consummate a contract with the Respondent, IDOA may begin contract preparation with the next qualified Respondent or determine that no such alternate proposal exists.

3.2 EVALUATION CRITERIA

Proposals will be evaluated based upon the proven ability of the Respondent to satisfy the requirements of the RFP in a cost-effective manner. Each of the evaluation criteria categories is described below with a brief explanation of the basis for evaluation in that

category. The points associated with each category are indicated following the category name (total maximum points = 107). Negative points may be assigned in the cost score. Additionally, there is an opportunity for a bonus of five points if certain criteria are met. For further information, please reference Section 3.2.3 below. If any one or more of the listed criteria on which the responses to this RFP will be evaluated are found to be inconsistent or incompatible with applicable federal laws, regulations or policies, the specific criterion or criteria will be disregarded and the responses will be evaluated and scored without taking into account such criterion or criteria.

Summary of Evaluation Criteria:

Criteria	Points
1. Adherence to Mandatory Requirements	Pass/Fail
2. Management Assessment/Quality (Business and Technical Proposal)	25 points
3. Cost (Cost Proposal)	-30 to +30 available points (5 bonus points are available if certain criteria is met)
4. Indiana Economic Impact	15
5. Buy Indiana	10
6. Minority (10) and Women Business (10) Subcontractor Commitment	20 (2 bonus points are available if certain criteria is met)
Total	100 (107 if bonus awarded)

All proposals will be evaluated using the following approach.

Step 1

In this step proposals will be evaluated only against Criteria 1 to ensure that they adhere to Mandatory Requirements. Any proposals not meeting the Mandatory Requirements will be disqualified.

Step 2

The proposals that meet the Mandatory Requirements will then be scored based on Criteria 2 and 3 ONLY. This scoring will have a maximum possible score of 55 points

with a potential of 5 bonus points if certain criteria are met. All proposals will be ranked on the basis of their combined scores for Criteria 2 and 3 ONLY. This ranking will be used to create a “short list”. Any proposal not making the “short list” will not be considered for any further evaluation.

Step 2 may include one or more rounds of proposal discussions focused on cost and other proposal elements.

Step 3

The short-listed proposals will then be evaluated based on all the entire evaluation criteria outlined in the table above.

If the State conducts additional rounds of discussions and a BAFO round which lead to changes in either the technical or cost proposal for the short listed Respondents, their scores will be recomputed.

The section below describes the different evaluation criteria.

3.2.1 Adherence to Requirements – Pass/Fail

Respondents passing this category move to Phase 2 and proposal is evaluated for Management Assessment/Quality and Price.

The following 2 categories can not exceed 55 points.

3.2.2 Management Assessment/Quality - **25** points

3.2.3 Price – **30** points available

Price will be measured against the State’s baseline cost for this scope of work. The cost that the State is currently paying or its best estimate will constitute the baseline cost. Cost scoring points will be assigned as follows:

- Respondents who meet the State’s current baseline cost will receive zero (0) cost points.
- Respondents who propose a decrease to the State’s current costs will receive positive points at the same rate as bid increasing cost.
- Respondents who propose an increase to the State’s current cost will receive negative points at the same rate as bid lowering cost.
- Respondents who propose a 10% decrease to the State’s current baseline cost will receive all of the available cost points.
- If multiple Respondents decrease costs below 10% of the current baseline, an additional 5 points will be added to the Respondent proposing the lowest cost to the State.

3.2.4 Indiana Economic Impact (15 points)

See Section 2.6 for additional information.

The total number of full time equivalent (FTE – please see Section 1.2 for a definition of FTE's) Indiana resident employees for the Respondent's proposal (prime contractor and subcontractors) will be used to evaluate the Respondent's Indiana Economic Impact. Points will be awarded based on a graduated scale. The Respondent with the most Indiana FTEs will be awarded 15 points. Points will then be awarded to the remaining Respondents proportionately.

3.2.5 Buy Indiana Initiative – 10 points

Respondents qualifying as an Indiana Company as defined in Section 2.7 will receive 10 points in this category.

3.2.6 Minority (10 points) & Women's Business (10 points) Subcontractor Commitment - (20 points).

The following formula will be used to determine points to be awarded based on the MBE and WBE goals listed in Section 1.20 of this RFP. Scoring is conducted based on an assigned 20 point plus a possible 2 bonus points scale (MBE: Possible 10 points + 1 bonus point, WBE: Possible 10 points + 1 bonus Point). Points are assigned for respective MBE participation and WBE participation based upon the BAFO meeting or exceeding the established goals.

If the respondent's commitment percentage is less than the established MBE or WBE goal, the maximum points achieved will be awarded according to the following schedule:

%	1%	2%	3%	4%	5%	6%	7%	8%
Pts.	1.25	2.50	3.75	5.00	6.25	7.50	8.75	10.00

NOTE: Fractional percentages will be rounded up or down to the nearest whole percentage. (e.g. 7.49% will be rounded down to 7% = 8.75 pts., 7.50% will be rounded up to 8% = 10.00 pts.)

If the respondent's commitment percentage is 0% for MBE or WBE participation, a deduction of 1 point will be discounted on the respective MBE or WBE score.

The respondent with the greatest applicable CUF participation which exceeds the stated goal for the respective MBE or WBE category will be awarded 11 points (10 points plus 1 bonus point). In cases where there is a tie for the greatest applicable CUF participation and both firms exceed the goal for the respective MBE/WBE category both firms will receive 11 points.

The Commissioner of IDOA or his designee will, in the exercise of his sole discretion, determine which proposal(s) offer the best means of servicing the interests of the State. The exercise of this discretion will be final.